

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION**

COMET STREET, INC.

PLAINTIFF

VS.

CIVIL ACTION NO.: 5:09-cv-137-DCB-JMR

**KENNETH G. ROBERTS,
MELISSA ROBERTS, AND
LIBERTY MUTUAL INSURANCE COMPANY**

DEFENDANTS

ORDER GRANTING MOTION TO DISMISS WITHOUT PREJUDICE

THIS DAY this cause came on to be heard on the Motion of Plaintiff, Comet Street, Inc., to dismiss without prejudice all claims filed in this action by the parties, with each party to bear its own costs, as the underlying lawsuit from which this case originates, *Kenneth G. Roberts and Melissa Roberts v. Comet Street, Inc.*; Civil Action No. 251-06-775CIV; Circuit Court of the First Judicial District of Hinds County, Mississippi, has been resolved by Liberty Mutual Insurance Company's voluntary payment of a settlement to Kenneth and Melissa Roberts, there remains no issues to litigate before this Court; and the Court being further advised in the premises, finds that the Motion to Dismiss Without Prejudice is well taken and should be granted.

IT IS THEREFORE HEREBY ORDERED AND ADJUDGED that this action be, and the same hereby is, dismissed without prejudice with each party to bear its own costs.

SO ORDERED AND ADJUDGED, THIS the 23rd day of February, 2010.

s/ David Bramlette
UNITED STATES DISTRICT COURT JUDGE

Submitted by:

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